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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/030,125	04/10/2002	Shogo Ishioka	011714	6856

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EXAMINER

SHEIKH, ASFAND M

ART UNIT

PAPER NUMBER

3627

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/030,125	ISHIOKA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Asfand M. Sheikh	3627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 10 April 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) 11-17, 20-26 and 30-38 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10, 18-19 and 27-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>05/03/2002</u> | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Election/Restrictions***

1. Applicant's election without traverse of claims 1-10, 18-19, and 27-28 in the reply filed on 11/03/2005 is acknowledged.
2. Claims 11-17, 20-26, and 30-38 withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected Group II and further Groups 1B, 1C, 1D, 1E, and 1F, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 11/03/2005.

***Specification***

1. A substitute specification in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b) is required. The substitute specification filed must be accompanied by a statement that it contains no new matter.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 1-10, 18-19, and 27-28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Claims 1-10, 18-19, and 27-28 are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

5. The term "a product information" in claims 1, 18, and 27 is a relative term which renders these claims indefinite. The term "a product information" is not defined by the claims, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. The examiner will interpret this term to mean associated in the given context to be information relevant based on the request from the first computer.

6. A broad range or limitation together with a narrow range or limitation that falls within the broad range or limitation (in the same claim) is considered indefinite, since the resulting claim does not clearly set forth the metes and bounds of the patent protection desired. See MPEP § 2173.05(c). Note the explanation given by the Board of Patent Appeals and Interferences in *Ex parte Wu*, 10 USPQ2d 2031, 2033 (Bd. Pat. App. & Inter. 1989), as to where broad language is followed by "such as" and then narrow language. The Board stated that this can render a claim indefinite by raising a question or doubt as

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to whether the feature introduced by such language is (a) merely exemplary of the remainder of the claim, and therefore not required, or (b) a required feature of the claims. Note also, for example, the decisions of *Ex parte Steigewald*, 131 USPQ 74 (Bd. App. 1961); *Ex parte Hall*, 83 USPQ 38 (Bd. App. 1948); and *Ex parte Hasche*, 86 USPQ 481 (Bd. App. 1949). In the present instance, claim 4 recites the broad recitation "at least either one", and the claim also recites "means for providing the product information prepared for said delivery date, said cost, and said equipment information to said first computer" which is the narrower statement of the range/limitation. The Examiner will interpret the broader limitation set forth initially in the claim.

7. The term "size" in claim 6 is a relative term, which renders the claim indefinite. The term "size" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. The Examiner will interpret this to be any form of miscellaneous information that can be stored via any column found in any table in the database refers to a dealer.

8. The term "trouble in transaction of each of said dealers" in claim 6 is a relative term, which renders the claim

indefinite. The term "trouble in transaction of each of said dealers" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. The Examiner will interpret this to be any form of miscellaneous information that can be stored via any column found in any table in the database refers to a dealer.

9. The term "troubles in dealing of said client" in claim 8 is a relative term which renders the claim indefinite. The term "troubles in dealing of said client" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. The Examiner will interpret this to be any form of miscellaneous information that can be stored via any column found in any table in the database refers to a client.

10. Claim 9, is unclear and indefinite. The Examiner notes that all that is being done is the transfer of information. The Examiner will interpret the claim to mean passing any information from the third computer to the second computer.

11. The term "management table" in claim 10 is a relative term, which renders the claim indefinite. The term "management table"

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is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. The Examiner will interpret this to be any table entry that can be found in any database.

12. Claim 19, is unclear and indefinite. The claim recites "at least either one" but follows the listing with an "and" instead of an "or." The Examiner will interpret the claim to mean selecting any of one the examples provided in that listing.

13. Claim 28, is unclear and indefinite. The claim recites "at least either one" but follows the listing with an "and" instead of an "or." The Examiner will interpret the claim to mean selecting any of one the examples provided in that listing.

***Claim Rejections - 35 USC § 103***

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claims 1-2, 5-10, 18 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Doyle et al. U.S. Pat.

5,694,551 (hereinafter Doyle) in view of Jardin U.S. Pat.

6,681,327 (hereinafter Jardin).

As per claims 1, 18, and 27, Doyle discloses a first computer available for a client intending to make a request for supplying an inspection apparatus used for a circuit board (col. 2, lines 50-54; Fig. 2), a second computer available for a plurality of dealers including a first dealer intending to provide a circuit-board inspection apparatus or a component of a circuit board inspection apparatuses (col.2, lines 54-57; Fig. 2), a third computer capable of communicating with said first computer and said second computer via a communication line, said third computer being adapted to receive said request from first computer (col. 2, lines 38-49; Fig. 2) However Doyle fails to explicitly disclose means for receiving a board-specification information defining a specification of said circuit board from said first computer, means for providing said received board-specification information to said second computer, means for receiving a product information from aid second computer, said product information defining the circuit-board inspection apparatus of the component of circuit-board inspection apparatuses which is prepared for said board-specification information and is providable from said first dealer, and means for providing said received product information to said first



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computer. However Jardin discloses means for receiving a board-specification information defining a specification of said circuit board from said first computer (col. 7, lines 57-61), means for providing said received board-specification information to said second computer (col. 7, lines 61-63), means for receiving a product information from said second computer, said product information defining the circuit-board inspection apparatus of the component of circuit-board inspection apparatuses which is prepared for said board-specification information and is providable from said first dealer (col. 8, lines 6-11), and means for providing said received product information to said first computer (col. 8, lines 11-15).

It would be obvious to one skilled in the art at the time the invention was made to modify Doyle's method to include a means for receiving a board-specification information defining a specification of said circuit board from said first computer, means for providing said received board-specification information to said second computer, means for receiving a product information from said second computer, said product information defining the circuit-board inspection apparatus of the component of circuit-board inspection apparatuses which is prepared for said board-specification information and is providable from said first dealer, and means for providing said

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received product information to said first computer as taught by Jardin. The motivation to combine would provide communication technology to support the brokering of client transactions over a communication network and help aid in eliminating server bottlenecks based off of those client transactions over that communication network (col. 2, lines 49-53).

As per claim 2, Doyle discloses means for receiving an order of the circuit-board inspection apparatus or the component of circuit-board inspection apparatuses from said first computer, said circuit-board inspection apparatus or the component being selected by said client according to said product information (col. 4, lines 35-37; Fig. 6) and means for notifying the receipt of said order to said second computer according to the content of said received order (col. 6, lines 45-54).

As per claim 5, Doyle discloses wherein said third computer includes a dealer database storing a dealer information defining for each of said dealers (col. 3, lines 8-17 and col. 8, lines 47-53; Fig. 3).

As per claim 6, Doyle discloses wherein said dealer information includes a contact address, size, transaction record, product list, and trouble in transaction of said dealers (col. 8, lines 47-60; Examiner interprets that any information

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relevant to a dealer can be maintained on any database; Examiner also interprets that this is non-function descriptive material pertaining to a information service system).

As per claim 7, Doyle discloses wherein said third computer includes a client database storing a client information defining said client (col. 3, lines 8-17; Fig 3).

As per claim 8, Doyle discloses wherein said client information includes a contact address, request history, content of equipment owned by said client, and troubles in dealing of said client (col. 3, lines 24-33; Examiner interprets that any information relevant to a customer can be maintained on any database; Examiner also interprets that this is non-function descriptive material pertaining to a information service system).

As per claim 9, Doyle fails to explicitly disclose wherein said third computer provides the board specification information to said second computer available for said first dealer according to said received board-specification information, said first dealer handling the circuit-board inspection apparatus or the component of circuit-board inspection apparatuses which is suitable for inspecting said circuit board. However Jardin discloses wherein said third computer provides the board specification information to said second computer available for

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said first dealer according to said received board-specification information, said first dealer handling the circuit-board inspection apparatus or the component of circuit-board inspection apparatuses which is suitable for inspecting said circuit board (col. 7, lines 57-63 and col. 8, lines 6-15; Examiner interprets that this is just information transfer between a brokered system).

It would be obvious to one skilled in the art at the time the invention was made to modify Doyle's method to include wherein said third computer provides the board specification information to said second computer available for said first dealer according to said received board-specification information, said first dealer handling the circuit-board inspection apparatus or the component of circuit-board inspection apparatuses which is suitable for inspecting said circuit board as taught by Jardin. The motivation is the same as claim 1 above.

As per claim 10, Doyle discloses a means for producing a management table for said request when said board-specification information is received and means for storing said management table in association with said board-specification information (col 3, lines 24-33; Examiner interprets that "requisitions" would contain information relevant to a given request; Examiner

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also interprets that this is non-function descriptive material pertaining to a information service system).

16. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Doyle et al. U.S. Pat. 5,694,551 (hereinafter Doyle) in view of Jardin U.S. Pat. 6,681,327 (hereinafter Jardin) as applied to claim 1 above, and further in view of Business Wire, *"Minolta Peripheral Products Division Goes Extra Mile for Resellers and End Users With New Service Programs"* (hereinafter Business Wire).

As per claim 3, Doyle fails to explicitly disclose wherein said second computer is available for a second dealer intending to provide an after-sale service of circuit board inspection apparatuses or components wherein said third computer includes means for receiving a demand of said client for an after sale service from said first computer, said after-sale service relating to said circuit-board inspection apparatus or said component of inspection apparatuses which as been purchased by said client from said first dealer and means for notifying said received demand to said second computer available for said first dealer who has sold said circuit-board inspection apparatus or said component or circuit-circuit board inspection apparatuses, or for said second dealer intending to provide said after-sale service.

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However Jardin discloses means for receiving a demand and a means for notifying said received demand (col. 4, lines 1-24, col. 7, lines 57-63, col. 8, lines 6-15; Examiner interprets that "receiving" and "notifying" is based on which computer needs to receive or notify information. This is all done via the third computer which brokers these transactions).

It would be obvious to one skilled in the art at the time the invention was made to modify Doyle's method to include for receiving a demand and a means for notifying said received demand as taught by Jardin. The motivation is the same as claim 1 above.

Doyle and Jardin fail to explicitly disclose an after-sale service. Business Wire discloses an after-sale service (Section A; Examiner interprets "Internet-based warranty claim" to be an after-sale service that can be requested via a client computer)

It would be obvious to one skilled in the art at the time the invention was made to modify Doyle and Jardin's method to an after-sale service as taught by Business Wire. The motivation to combine would provide a total business solution and a higher level of customer service, which would both help create a stronger reputation and image for a given company.

17. Claims 4 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Doyle et al. U.S. Pat. 5,694,551

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(hereinafter Doyle) in view of Jardin U.S. Pat. 6,681,327

(hereinafter Jardin) as applied to claim 1 above, and further in view of Cameron et al. U.S. Pat. 5,592,378 (hereinafter Cameron)

As per claim 4, Doyle and Jardin both fail to explicitly disclose means for receiving from said first computer at least either one of a desired delivery date of the circuit-board inspection apparatus, a desired cost of the circuit-board inspection apparatus, and an equipment information defining a circuit-board inspection equipment owned by said client and means for producing the product information prepared for said delivery date, said cost, and said equipment information to said first computer. However Cameron discloses means for receiving from said first computer at least either one of a desired delivery date of the circuit-board inspection apparatus, a desired cost of the circuit-board inspection apparatus, and an equipment information defining a circuit-board inspection equipment owned by said client (col. 6, lines 29-37 and col. 9, lines 22-34) and means for producing the product information prepared for said delivery date, said cost, and said equipment information to said first computer (col. 6, lines 29-37 and col. 9, lines 22-34).

It would be obvious to one skilled in the art at the time the invention was made to modify Doyle and Jardin's method to

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include means for receiving from said first computer at least either one of a desired delivery date of the circuit-board inspection apparatus, a desired cost of the circuit-board inspection apparatus, and an equipment information defining a circuit-board inspection equipment owned by said client and means for producing the product information prepared for said delivery date, said cost, and said equipment information to said first computer as taught by Cameron. The motivation to combine would customer driven entry system that permits placement of an order in a timely and efficient manner and provides for the normalization of data in order to limit redundancies of data and for access to a variety of database management systems (col. 2, lines 28-25).

As per claim 19, Doyle and Jardin both fail to explicitly disclose wherein said product information includes at least either one of a cost, delivery date, and available number for sale of said circuit board. However Cameron discloses wherein said product information includes at least either one of a cost, delivery date, and available number for sale of said circuit board (col. 6, lines 29-37 and col. 9, lines 22-34).

It would be obvious to one skilled in the art at the time the invention was made to modify Doyle and Jardin's method to include discloses wherein said product information includes at



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lease either one of a cost, delivery date, and available number for sale of said circuit board as taught by Cameron. The motivation to combine is the same as claim 4 above.

18. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Doyle et al. U.S. Pat. 5,694,551 (hereinafter Doyle) in view of Jardin U.S. Pat. 6,681,327 (hereinafter Jardin) as applied to claim 1 above, and further in view of Marshall, S. *"It Pays to Shop When Fixing Electronics"* (hereinafter Marshall)

As per claim 28, Doyle and Jardin both fail to explicitly disclose wherein said service information includes at least either one of an inspection cost and inspection time-schedule. However Marshall discloses wherein said service information includes at least either one of an inspection cost and inspection time-schedule (Section A).

It would be obvious to one skilled in the art at the time the invention was made to modify Doyle and Jardin's method to include discloses wherein said service information includes at least either one of an inspection cost and inspection time-schedule as taught by Marshall. The motivation to combine would allow for a fee to be associated with a service, so that time and effort can be compensated, in a fee, towards the servicer.

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The Examiner notes that these references do not explicitly disclose circuit-board inspection apparatus or a component of a circuit-board inspection apparatus for this information service system. However, the Examiner notes Doyle in view of Jardin (with further in view of Buisness Wire, Cameron, and Marshal) disclose analogous art that solves the general flow of information in an information service system. Even though the claims are directed to circuit-board inspection the invention's actual focus is directed to the flow of information pertaining to a service that can be handled in an information service system. The Examiner interprets that any service could be used in order to implement this information service system. The following references used in this rejection solve the information flow in this particularly disclosed information service system. The prior art used contains analogous features that allow means of receiving or notifying particular computers in a given computer network. Thus, it would have been obvious to create a similar information service system that is analogous for circuit board inspection for the motivation of allowing correct information flow between computers in a given network.

#### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asfand M.

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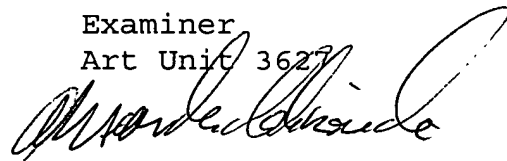
Sheikh whose telephone number is (571) 272-1466. The examiner can normally be reached on M-F 7a-3:30p.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander G. Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).

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Asfand M Sheikh  
Examiner  
Art Unit 3627



**ALEXANDER KALINOWSKI  
SUPERVISORY PATENT EXAMINER**